

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOHN DOE, *et al.*,

Plaintiff,

v.

CITY OF INDIANAPOLIS, INDIANA;

Defendants.

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No. 1:12-cv-0062 TWP-MJD

**NOTICE OF CHALLENGE TO CONSTITUTIONALITY OF A STATE
STATUTE**

Plaintiff and the putative class in this case, by counsel, give notice pursuant to Rule 5.1(a) of the Federal Rules of Civil Procedure that the complaint in this case challenges the constitutionality of Indiana Code § 35-42-4-12 as violating the First Amendment to the United States Constitution.

WHEREFORE, plaintiff gives this notice.

/s/ Kenneth J. Falk

Kenneth J. Falk

No. 6777-49

ACLU of Indiana

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Attorney for Plaintiff

Certificate of Service

I hereby certify that on this 18th day of January, 2012, a copy of the foregoing was filed electronically with the Clerk of this Court. I was also mailed on this date to the following parties by first class U.S. postage, pre-paid.

City of Indianapolis, Indiana
c/o Mayor, City of Indianapolis
Room 2501
City County Building
200 E. Washington St.
Indianapolis, IN 46204

Marion County Prosecutor
251 E. Ohio Street
Suite 160
Indianapolis, IN 46204

Office of the Attorney General
IGCS-5th Floor
302 W. Washington St.
Indianapolis, IN 46204
(with a copy of the complaint)

/s/ Kenneth J. Falk
Kenneth J. Falk
Attorney at Law